

REMARKS

Favorable consideration of this patent application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 37,39, and 49 have been rejected as being anticipated by Eigenmann under 35 USC 102; Claims 20,21, 23-27,40,41,43,45-48,50,51,53, and 55-58 have been rejected as being unpatentable over Eigenmann under 35 USC 103; and Claims 22,38,42,44,52, and 54 have been objected to as containing allowable subject matter but being dependent from rejected parent claims. Claims 37,39, and 49 have been cancelled, Claims 59-61 have been inserted, and consequently, Claims 20-27,38,40-48, and 50-61 are now active in this patent application.


It is reiterated to the examiner that the apparatus of the present invention comprises the formation of a collated array of markers wherein the collated array of markers is formed into a nested collated array of markers wherein an undersurface portion of one marker is disposed in contact with an upper surface portion of a successive marker, and means for separating the leading one of the markers from the nested collated array of markers.

This limitation is respectfully submitted to be quite different from a series of markers being disposed atop another series of markers as in the coiled storage roll B of Eigenmann. This limitation with respect to successive markers has now been inserted into all of the independent Claims 59-61, and it is respectfully submitted that this is not the case with Eigenmann, such is not obvious from the teachings of Eigenmann, and accordingly, it is respectfully submitted still further that all of the claims therefore patentably define over all of the prior art of record.

It is also noted that a corrected Abstract has been provided upon a separate sheet as required by the examiner.

In light of the foregoing, it is submitted that this patent application is now in condition for allowance, and therefore, an early and favorable action is now anticipated and awaited.

Respectfully Submitted,
SCHWARTZ & WEINRIEB

A handwritten signature in dark ink, appearing to be "Steven W. Weinrieb", is written over a horizontal line.

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